

ASSEMBLY BILL

No. 602

Introduced by Assembly Member Koretz

February 18, 2003

An act to add Chapter 2.8 (commencing with Section 12330) to Title 2 of Part 4 of the Penal Code, relating to ammunition, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 602, as introduced, Koretz. Ammunition: Trauma Center Fund.

Existing law generally regulates the sale of ammunition.

This bill would impose a fee of 10¢ on every munition, as defined, sold at retail. The fees would be paid to the State Board of Equalization, and deposited in the Trauma Center Fund, a continuously appropriated fund that would be established by the bill. The Trauma Center Fund would be used to reimburse emergency services providers for the costs of treating gunshot wounds and injuries, as specified. The funds in the Trauma Center Fund would be allocated by the Emergency Medical Services Authority to the medical providers by a specified formula.

By establishing a continuously appropriated fund, this bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 2.8 (commencing with Section 12330)
- 2 is added to Title 2 of Part 4 of the Penal Code, to read:
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CHAPTER 2.8. FIREARMS-RELATED EMERGENCY SERVICES
REIMBURSEMENT

12330. (a) There shall be imposed a fee upon all munitions sold at retail at the rate of 10 cents (\$0.10) for each munition sold at retail in this state on or after January 1, 2004.

(b) The fees imposed by this section shall be administered and enforced by the State Board of Equalization.

(c) For purposes of this section, “munition” means a projectile with its fuse, propelling charge, or primer fired from a weapon, or any of the individual components thereof. “Munition” does not include a BB or a pellet commonly used in an air rifle or pistol.

(d) The fee provided for in this section may not be imposed upon any munition purchased by any peace officer required to carry a firearm while on duty, or by any governmental law enforcement agency employing that officer.

(e) All amounts required to be paid to the state under this section shall be paid to the State Board of Equalization in the form of remittances that are payable to that board and are separate from the remittance of any other fee. The board shall transmit the payments to the Treasurer to be deposited in the State Treasury to the credit of the Trauma Center Fund, which is hereby created.

(f) Notwithstanding Section 13340 of the Government Code, the Trauma Center Fund is hereby continuously appropriated, without regard to fiscal years, as follows:

(1) To the State Board of Equalization for both of the following:

(A) To pay for the board’s cost of implementation and administration of this section, which cost in any fiscal year may not exceed 10 percent of the total amount of moneys deposited in the fund in that fiscal year.

(B) To pay refunds in accordance with this section.

(2) The balance to the Emergency Medical Services Authority for allocation, once each fiscal year, to local emergency medical service agencies to support hospital emergency departments and certified trauma centers in delivering trauma care. The authority shall allocate these moneys to these agencies pursuant to written guidelines adopted by the authority, which guidelines shall utilize the following criteria:



1 (A) The number of victims of gunshot wounds treated by
2 hospital emergency departments and certified trauma centers in
3 the area served by the agency in proportion to the number of
4 victims of gunshot wounds treated by all hospital emergency
5 departments and certified trauma centers in the state in the fiscal
6 year immediately preceding the allocation.

7 (B) The incidence of gun violence in the area served by the
8 agency in proportion to the incidence of gun violence in the state
9 in the fiscal year immediately preceding the allocation.

10 (C) The approved emergency service plan and trauma care plan
11 of the agency.

12 (D) The proportion of the state's population that lived in the
13 area served by the agency in the fiscal year immediately preceding
14 the allocation.

15 (E) Any other criteria deemed by the authority to further the
16 objectives of this subdivision.

17 (3) Each local emergency medical service agency shall, once
18 each fiscal year, allocate the moneys it receives pursuant to
19 paragraph (2) to hospital emergency departments or certified
20 trauma centers in the area served by the agency. The amount to be
21 allocated to a hospital emergency department or certified trauma
22 center shall be determined by the authority pursuant to written
23 guidelines promulgated by the authority, which guidelines shall
24 utilize the following criteria:

25 (A) The number of victims of gunshot wounds treated by the
26 hospital emergency department or certified trauma center in
27 proportion to the number of victims of gunshot wounds treated by
28 all emergency departments and certified trauma centers in the area
29 served by the agency in the fiscal year immediately preceding the
30 allocation.

31 (B) The location of hospital emergency departments and
32 certified trauma centers as specified in the approved emergency
33 service plan and trauma care plan of the agency.

34 (C) Any other criteria deemed by the authority to further the
35 objectives of this subdivision.

36 (g) The Board of Equalization and the Emergency Medical
37 Services Authority shall adopt regulations necessary to implement
38 this chapter.

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